



Pursuant to the foregoing notice a regular Representative Town Meeting of the Town of Greenwich was held via Zoom Webinar on Monday, April 19, 2021 at 8:00 P.M. (E.D.T.)

The meeting was called to order by the Moderator, Thomas J. Byrne.

The members pledged allegiance to the flag.

The Moderator announced that as all members had received a copy of the Call for the meeting, the reading of the Call would be omitted.

Attendance cards were presented showing 219 present, 11 absent and 0 vacancy.

District 1, 2, 3, 5, 7, 11 and 12 had perfect attendance.

District 4 - Elizabeth J. "Liz" Eckert, Josiane M. Schaffner-Parnell, John J. Thompson;
District 7 – Gunnar E. Klintberg, Gary Segal; District 8 – John Eddy, Andrew Oliver, III,
Alison F. Soler; District 9 – Claudia A. Carthaus, Lillian S. "Sharon" Shisler; District 10
– John Mastacchio.

The Moderator announced that as all members had received a copy of the minutes of the March 8, 2021 meeting, the reading of the minutes would be omitted. He asked if there were any corrections or comments. There being none, the minutes as amended were adopted by unanimous consent.

Lauren Rabin, Selectwoman, offered the following tribute for Nancy Brown.

Good evening Moderator Byrne, Moderator Pro Tempore Voulgaris, members of the RTM and guests.

On behalf of the First Selectman, I thank you for this time to be able to publicly acknowledge the decades of dedicated service to our Town residents by Nancy Brown. Nancy's community service dates back to when her three sons were in school with her involvement with the PTA.

She worked with the board of Family Centers and helped to found the Urban League of Southwestern Fairfield County ... and she was elected to the Representative Town Meeting in 1971.

In 1978, Nancy became the Town's Director of Community Development – the first black woman to head a Town Department. She held that position for nearly 30 years.

After her retirement, Nancy continued her work volunteering for various causes, including helping young girls of color with opportunities through the Women & Girl's Advisory Council.

Nancy touched everyone she met, especially with her smile that clear indication of how open her heart was and the compassion she had for others.

Our Town is a much better community thanks in large part to the enthusiastic work and commitment of Nancy Brown. We thank her family for so generously sharing her with us for all these years and extend our heartfelt condolences on her passing.

The membership observed a moment of silence in remembrance of Nancy Brown.

Pursuant to the RTM rules, the Moderator designated that the following items be placed on the consent calendar – 1, 2, 5-9.

The items on the Consent Calendar are as follows:

1. RESOLVED, that the regular meeting date for the September 2021 RTM meeting shall be September 27 and the district and committee meetings shall be the week of September 20, 2021.

2. RESOLVED, that the sum of \$231,610 be and the same is hereby appropriated from “GENERAL FUND BALANCE” to account A205-51100 Payment for Overtime Services.

5. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an Alternate Member (A3) of the Inland Wetlands and Watercourses Agency for a term expiring October 31, 2023.

KLAUS JANDER

6. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Board of Human Services (R1) for a term beginning on July 1, 2021 and expiring June 30, 2024.

SUSAN WARNER

7. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member of the Harbor Management Commission (R7) for a term beginning upon appointment and expiring March 31, 2023.

CORNELIA ELISABETH ‘BETH’ FORBES

8. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a Regular Member (R3) of the Harbor Management Commission for a term expiring March 31, 2024.

C. JEFFERSON PARKER JR.

9. RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an Alternate Member of the Harbor Management Commission (A2) for a term expiring March 31, 2023.

FRIDOLF HANSON

The vote was now on the Consent Calendar.

In Favor	-	209
Against	-	1
Abstentions	-	0

Items Carried

The Moderator suggested a motion, which was moved and seconded, to suspend the rules and combine Items No. 10 & 11 for voting purposes.

The Moderator announced that Items No. 10 & 11 on the Call were now before the meeting.

Michael Mason, Chairman of the Board of Estimate & Taxation, offered the following substitute resolution, regarding Item Nos. 10 & 11 which was duly moved and seconded.

10. RESOLVED, that the sum of \$2,055,000 be and the same is hereby appropriated from “BOND PROCEEDS” to account 6801089 59560, Project TBD for costs associated with the ceiling collapse at North Mianus School.

- **6801089 Project # TBD \$2,055,000**

11. RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,055,000 BONDS OF THE TOWN TO MEET A PORTION OF THE CAPITAL BUDGET APPROPRIATIONS FOR THE REPAIR OF THE CEILING AT NORTH MIANUS ELEMENTARY SCHOOL FOR FISCAL YEAR 2021-2022 AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE

WHEREAS, the Board of Estimate and Taxation and the Representative Town Meeting have approved specific appropriations for the repair of the ceiling at the North Mianus Elementary School in various capital projects in the Town’s Capital Budget for Fiscal Year 2020-2021.

BE AND IT IS HEREBY RESOLVED:

Section 1. To meet the portion of the approved capital budget

appropriations for the repair of the ceiling at the North Mianus Elementary School in various capital projects in the Town's Capital Budget for Fiscal Year 2021-2022 (collectively, the "North Mianus Ceiling Project"), \$2,055,000 general obligation bonds of the Town are authorized to be issued in one or more series, maturing in annual installments of principal in compliance with the General Statutes of Connecticut, as amended from time to time (the "Connecticut General Statutes"), *provided* the final installment shall be due not later than the fifth year after their date. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the Chairman and the Treasurer, and countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be certified by a bank or trust company, and be approved as to their legality by nationally-recognized bond counsel. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon.

Section 2. The aggregate principal amount of the bonds of each series to be issued, and the manner of issue and sale shall be determined by the Comptroller, *provided* the bonds shall be issued in amounts which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including approval of the rate or rates of interest payable thereon, shall be determined by the Comptroller, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the Comptroller, in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be approved by the Comptroller.

Section 4. The Comptroller is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Chairman of the Board of Estimate and Taxation

or another authorized BET member designated by the Chairman and the Treasurer, and countersigned by the Comptroller, have the seal of the Town affixed and attested by the Town Clerk, be approved as to their legality by nationally-recognized bond counsel, and be certified by and payable at a bank or trust company designated by the Comptroller, pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a capital cost of the North Mianus Ceiling Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Board of Education is authorized in the name and on behalf of the Town to apply to the Connecticut Commissioner of Education for any and all State grants-in-aid of the North Mianus Ceiling Project.

Section 6. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this Resolution in the maximum amount of and for the North Mianus Ceiling Project with the proceeds of bonds, notes or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the North Mianus Ceiling Project, or such later date as the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller is authorized to pay project expenses in accordance herewith pending the issuance of Tax Exempt Obligations.

Section 7. The Comptroller is hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds or other obligations authorized by this Resolution. Any agreements or representations to provide information to MSRB made prior hereto

are hereby confirmed, ratified and approved.

Section 8. The time for the issuance of bonds, notes or other obligations authorized hereunder shall not be limited but shall remain in full force and effect until all payments are made and all borrowings completed for the North Mianus Ceiling Project financed by such bonds or other obligations.

Section 9. The Chairman of the Board of Estimate and Taxation or another authorized BET member designated by the Chairman, the Treasurer and the Comptroller are hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution and to contract in the name of the Town with engineers, contractors and others in connection therewith.

The vote was now on the combined items

In Favor	-	213
Against	-	1
Abstentions	-	0

Items Carried

The Moderator announced that Item No. 3 on the Call was now before the meeting.

Paul deBary, Chairman of the Board of Ethics, offered the following resolution, regarding Item No. 3 which was duly moved and seconded.

3. RESOLVED, that Section 2-9 of Chapter 2, Administration, Article 2 – Code of Ethics of the Code of Ordinances of the Town of Greenwich is amended as follows:

Sec. 2-9. - Disclosure of financial interests.

Within thirty (30) days after the end of each fiscal year each (1) Any town officer having a substantial financial interest in one (1) or more transactions with the town totaling two hundred dollars (\$~~100~~200.) or more in the year, or such other threshold amount as may be established by the Board of Ethics from time to time, shall file a written statement disclosing his position as a town officer, the nature of his interest in each transaction and the total amount received or expected to be received from such transactions during such year. Such statements shall be signed under oath and in form prescribed by the Board of Ethics and shall be filed in the office of the Town Clerk as promptly as possible after the town officer becomes aware of such interest.

(2) In lieu of filing reports as provided above, town officers may submit reports using an electronic system supervised by the Board of Ethics. Each town officer using such electronic system may be required to agree to the terms and conditions established

for the use of the system. The Board of Ethics shall coordinate with the Town Clerk to ensure that appropriate details from reports made using any such system become part of the official records of the town and are made reasonably available to the citizens of the town in a manner consistent with the purposes of this Code.

(3) The Board of Ethics is authorized from time to time to evaluate the threshold for reporting provided for in this Section and to adjust the threshold to represent an insubstantial financial interest at the time the adjustment is made, as determined by the Board of Ethics in its reasonable discretion.

(Ords. & Reg., § 6-5, 3/8/65; RTM ___)

Francis J. “Kip” Burgweger, Jr, Chairman of Legislative & Rules, made a motion to amend Item No. 3 as follows:

Sec. 2-9. - Disclosure of financial interests.

~~W~~ (1) Any town officer having a substantial financial interest in one (1) or more transactions with the town totaling two hundred dollars (\$200.) or more in the each fiscal year, ~~or such other threshold amount as may be established by the Board of Ethics from time to time~~, shall file a written statement disclosing his said position as a town officer, the nature of his said interest in each transaction and the total amount received or expected to be received from such transactions during such year. Such statements shall be filed in the office of the Town Clerk as promptly as possible after the town officer becomes aware of such interest.

(2) In lieu of filing reports as provided above, town officers may submit reports using an electronic system supervised by the Board of Ethics. Each town officer using such electronic system may be required to agree to the terms and conditions established for the use of the system. The Board of Ethics shall coordinate with the Town Clerk to ensure that appropriate details from reports made using any such system become part of the official records of the town and are made reasonably available to the citizens of the town in a manner consistent with the purposes of this Code.

~~(3) The Board of Ethics is authorized from time to time to evaluate the threshold for reporting provided for in this Section and to adjust the threshold to represent an insubstantial financial interest at the time the adjustment is made, as determined by the Board of Ethics in its reasonable discretion.~~

Amendments adopted upon unanimous consent

Pursuant to the Second Reading requirement of the RTM Rules, Item No. 9 was continued to the June 2021 meeting.

The Moderator announced that Item No. 4 on the Call was now before the meeting.

Amy Seibert, Commission of Public Works, offered the following resolution, regarding Item No. 4 which was duly moved and seconded.

4. RESOLVED, that Section 9-5 of Chapter 9, Waste and Litter, Article 1 – Waste Collection and Disposal of the Code of Ordinances of the Town of Greenwich is amended as follows:

Sec. 9-5. - Transportation and disposal required; fees.

All acceptable solid waste shall be transported to the Town disposal area. All bulky waste shall be loaded and transported to any place as directed and designated by the Superintendent.

Each licensed waste collector transporting acceptable solid waste to the Town disposal area shall pay a tipping fee on each ton of acceptable solid waste delivered by such licensed waste collector to the Town disposal area. The amount of such tipping fee and the method of payment shall be established by the Commissioner after consultation with and approval by the Board of Selectmen.

Any town residents who wish to deliver acceptable solid waste or any other material collected at Holly Hill for disposal, generated at their residence directly to the Town disposal area without the use of a licensed waste collector shall be subject to an annual permit fee for site access as established by the Commissioner after consultation with and approval by the Board of Selectmen not to exceed twenty-five dollars (\$25.00) per household.

~~The second and third paragraphs of this section shall cease to be effective on October 31, 2021, unless sooner extended by action of the Representative Town Meeting. In addition, it is recommended that the First Selectman form an advisory committee with varying points of view to review the Town's waste management options.-~~

(RTM, 9/21/2009; RTM, 5/11/2020; RTM, 2021.)

Francis J. “Kip” Burgweger, Jr., Chairman of Legislative & Rules Committee, made a motion to amend Item No. 4 as follows:

Sec. 9-5. - Transportation and disposal required; fees.

All acceptable solid waste shall be transported to the Town disposal area. All bulky waste shall be loaded and transported to any place as directed and designated by the Superintendent.

Each licensed waste collector transporting acceptable solid waste to the Town disposal area shall pay a tipping fee on each ton of acceptable solid waste delivered by such licensed waste collector to the Town disposal area. The amount of such tipping fee and the method of payment shall be established by the Commissioner after consultation with and approval by the Board of Selectmen.

Any town residents who wish to deliver acceptable solid waste ~~or any other material collected at Holly Hill for disposal~~, generated at their residence directly to the Town disposal area without the use of a licensed waste collector shall be subject to an annual permit fee ~~for site access~~ as established by the Commissioner after consultation with and approval by the Board of Selectmen not to exceed twenty-five dollars (\$25.00) per household.

The ~~second and~~ third paragraphs of this section shall cease to be effective on ~~October 31, 2021, June 30, 2022~~ unless sooner extended ~~or amended~~ by action of the Representative Town Meeting. ~~In addition, it is recommended that the First Selectman form an advisory committee with varying points of view to review the Town's waste management options.~~

Amendments adopted upon unanimous consent

Michael Basham, on behalf of the Finance Committee, made a motion to suspend the rules to allow a vote on Item No. 4, which was duly moved and seconded.

The vote was now on the Finance Motion.

In Favor	-	202
Against	-	13
Abstentions	-	0

Motion Carried

The vote was now on the Item No. 4 as amended.

In Favor	-	205
Against	-	7
Abstentions	-	3

Item Carried

There being no further business, the Moderator adjourned the meeting, upon unanimous consent, at 9:55 P.M.

ATTEST:
CARMELLA C. BUDKINS
TOWN CLERK